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Wal-Mart Stores, Inc.*

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

SHELLA VANGSNESS, an individual,

Plaintiff,

v.

WAL-MART STORES, INC.; DOES 1 through
100; and ROE CORPORATIONS 101 through
200, inclusive,

Defendants.

Case No.: 2:16-cv-02140-JAD-GWF

ORDER REMANDING CASE
TO STATE COURT

ECF No. 6

Defendant WAL-MART STORES, INC. (hereinafter “Defendant”), by and through its counsel of record, the law firm of PHILLIPS, SPALLAS & ANGSTADT, LLC, and Plaintiff SHELLA VANGSNESS (hereinafter “Plaintiff”), by and through her counsel of record, BERNSTEIN & POISSON, do hereby stipulate to remand this matter to state court without prejudice.

Plaintiff does not dispute the existence of diversity of citizenship of the parties in this matter. This stipulation to remand is based on Plaintiff’s averment that the amount in controversy is not met. The parties hereby stipulate that this matter be remanded to the Eighth Judicial District Court and, therefore, seek an Order by this Court remanding this matter and capping Plaintiff’s recovery at \$75,000.00.

Defendant reserves the right to Remove this matter back to Federal Court should new evidence or damages be presented that the jurisdictional limit of \$75,000.00 would be satisfied.

DATED this 27th day of September, 2016.

DATED this 27th day of September, 2016.

BERNSTEIN & POISSON

PHILLIPS, SPALLAS & ANGSTADT, LLC

/s/ Brian Boyer

/s/ Pooja Kumar

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ORDER

In light of the parties' stipulation that the value of this diversity case is \$75,000 or less, IT IS HEREBY ORDERED that **this case is REMANDED back to the Eighth Judicial District Court, Case No. A-16-741386-C** for lack of subject-matter jurisdiction.

9/28/16



Jennifer Dorsey
U.S. District Judge

CERTIFICATE OF SERVICE

I hereby certify that on the 27th day of September, 2016, I served a true and correct copy of the foregoing, **STIPULATION TO REMAND TO STATE DISTRICT COURT**, by electronic service, addressed to the following counsel of record, at the address listed below:

ATTORNEY OF RECORD	TELEPHONE/FAX	PARTY
SCOTT L. POISSON, ESQ. Nevada Bar No. 10188 BRIAN M. BOYER, ESQ Nevada Bar No. 12185 BERNSTEIN & POISSON 320 S. Jones Blvd. Las Vegas, NV 89107	Phone 702-877-4847 Fax 702-256-6280	Plaintiff

/s/ Pooja Kumar

An Employee of PHILLIPS, SPALLAS & ANGSTADT, LLC